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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,382	12/12/2003	Eugene Luskin	MS1-1725US	1704

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EXAMINER	
KISWANTO, NICHOLAS	

ART UNIT	PAPER NUMBER
3664	

NOTIFICATION DATE	DELIVERY MODE
03/02/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/735,382	LUSKIN ET AL.	
	Examiner	Art Unit	
	NICHOLAS KISWANTO	3664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 November 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-12,15-19,21-23,26-47 and 49* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4-12,15-19,21-23,26-47 and 49* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-10, 12-23, 26-30, 32-40, and 43-48 are rejected under 35 U.S.C. 103(a) as being unpatentable by Schofield et al (US 7,308,341), in view of Ames (US 6,735,503), further in view of Better et al. (2003/0195678).

• In regard to claims 1, 12, 43, and 49 Schofield et al discloses a method, program and vehicle comprising:

- Collecting, on a computer maintained within a vehicle, data from a plurality of systems of the vehicle (Column 21, line 15 - Column 22, line 61), wherein the plurality of systems comprises:
    - • A diagnostic system from providing one or more diagnostic codes; and at least one of a vehicle security system, an obstacle detection system, a vehicle media system, a vehicle environment system, or a vehicle sound system, wherein each vehicle system is connected to the computer by a respective interface. (Column 21, line 15 - Column 22, line 61)
    - • Generating, on the computer, an explanation of a vehicle condition

based on at least one said vehicle diagnostic code comprising a set of symbols, wherein the explanation combines data collected from the diagnostic system with data collected from at least one other vehicle system (Column 21, line 15 - Column 22, line 61), and wherein the generating operation comprises retrieving both a textual explanation of the vehicle diagnostics code and a graphical illustration of a component associated with the vehicle diagnostics code which can be displayed within the vehicle to provide a user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code (Column 21, line 15 - Column 22, line 61).

- Generating a browsable network document which includes the data from the plurality of systems of the vehicle which has been collected and the explanation of the vehicle condition
- However, Schofield is silent as to the specifics of generating a browsable network document which includes the data from the plurality of systems of the vehicle which has been collected and the explanation of the vehicle condition and transmitting the browsable network document from the vehicle to a remote client where vehicle system data and the explanation of the vehicle condition can be browsed and a severity ranking of the vehicle condition.
- Ames teaches a vehicle that generates a browsable network document which includes the data from the plurality of systems of the vehicle which

has been collected and the explanation of the vehicle condition and transmitting the browsable network document from the vehicle to a remote client where vehicle system data and the explanation of the vehicle condition can be browsed (col 5, line 16-51). Ames further teaches producing a severity ranking of the vehicle condition (col 1, line 50-65). Ames teaches that such steps enable diagnostic data to be consolidated (col 5, line 21-23). It would have been obvious to one of ordinary skill in the art to provide Schofield with Ames' teaches in order to consolidate diagnostic data, as taught by Ames.

- However, Schofield and Ames are silent as to the specifics of a markup language and wherein the browsable network document includes an entry field to allow the remote client to enter a request for data from the vehicle.
- Betters teaches the commonly well-known technique of generating a browsable network document in a markup language [0045] that includes and entry field to allow the remote client to enter a request for data from the vehicle [0032].

  It would have been obvious to one of ordinary skill in the art to provide Schofield and Ames with Betters' teaching since it is a commonly well-known technique in the art for displaying information, which is described by Ames in column 5, lines 29-35, implicitly teaching an entry field: "to obtain information of interest".

• In regard to claims 4 and 15, generating supplemental information related to the vehicle diagnostics code (Column 21, line 15 - Column 22, line 61)

• In regard to claims 5 and 16, wherein the generating supplemental information operation comprises retrieving an estimated price for repairing a condition related to the vehicle diagnostics code. (Column 21, line 15 - Column 22, line 61)

• In regard to claims 6 and 17, wherein the generating supplemental information operation comprises retrieving a location of a vehicle dealership (Column 21, line 15 - Column 22, line 61)

• In regard to claims 7 and 18, further comprising presenting the explanation at a client computer. (Column 21, line 15- Column 22, line 61)

• In regard to claims 8 and 19, wherein the presenting operation comprises presenting the explanation at a local, vehicle based client. (Column 21, line 15 - Column 22, line 61)

- In regards to claims 9, 22, Schofield et al fails to specifically discloses presenting the explanation at a remote client or transmitting the diagnostic code to a remote client. Schofield et al, however, does discuss being able to determine service areas near the vehicle. (Column 21, line 15 - Column 22, line 61) Ames, discloses, being able to send diagnostic data to a remote computer. Ames discusses being able to determine what the fault code is (Abstract), however, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Schofield et al with the ability to send diagnostic codes taught by Ames in order to allow remote computers,

such as a dealership, also view what is wrong with the vehicle and make necessary appointments an order necessary parts.

• In regard to claims 10 and 21, further comprising storing an updated explanation of the vehicle condition in a memory. (Column 21, line 15 - Column 22, line 61)

• In regard to claim 23, Schofield et al discloses a vehicle comprising:

A vehicle diagnostic system; one or more other vehicle system; a host computer communicatively coupled to the vehicle diagnostic system and the one or more other systems via respective interfaces, wherein the host computer is configured to collected data from a plurality of the vehicle systems; and generate a deciphered explanation of a vehicle diagnostic code, wherein the deciphered explanation contains a textual explanation of the vehicle diagnostic code and a graphical illustration of a component associated with the vehicle diagnostic code; and a local client maintained within the vehicle, wherein the local client displays the deciphered explanation. (Column 21, line 15 - Column 22, line 61)

- However, Schofield is silent as to the specifics of generating a browsable network document which includes the data from the plurality of systems of the vehicle which has been collected and the explanation of the vehicle condition and transmitting the browsable network document from the vehicle to a remote client where vehicle system data and the explanation of the vehicle condition can be browsed.

- Ames teaches a vehicle that generates a browsable network document which includes the data from the plurality of systems of the vehicle which has been collected and the explanation of the vehicle condition and transmitting the browsable network document from the vehicle to a remote client where vehicle system data and the explanation of the vehicle condition can be browsed (col 5, line 16-51). Ames teaches that such steps enable diagnostic data to be consolidated (col 5, line 21-23). It would have been obvious to one of ordinary skill in the art to provide Schofield with Ames' teaches in order to consolidate diagnostic data, as taught by Ames.
- However, Schofield and Ames are silent as to the specifics of a markup language and wherein the browsable network document includes an entry field to allow the remote client to enter a request for data from the vehicle.
- Betters teaches the commonly well-known technique of generating a browsable network document in a markup language [0045] that includes and entry field to allow the remote client to enter a request for data from the vehicle [0032].

  It would have been obvious to one of ordinary skill in the art to provide Schofield and Ames with Betters' teaching since it is a commonly well-known technique in the art for displaying information, which is described by Ames in column 5, lines 29-35, implicitly teaching an entry field: "to obtain information of interest".

• In regard to claim 26, wherein the host computer is further operable to generate supplemental information related to the vehicle diagnostic code. (Column 21, line 15- Column 22, line 61)

• In regard to claim 27, wherein the generating supplemental information operation comprises retrieving an estimated price for repairing a condition related to the vehicle diagnostics code. (Column 21, line 15- Column 22, line 61)

• In regard to claim 28, wherein the generating supplemental information operation comprises retrieving a location of a vehicle dealership (Column 21, line 15 - Column 22, line 61)

• In regard to claim 29, further comprising a display device presenting the deciphered explanation. (Column 21, line 15- Column 22, line 61)

• In regard to claim 30, further comprising an audio output device presenting an audio version of the deciphered explanation. (Column 21, line 15 - Column 22, line 61)

• In regard to claim 32, wherein the host computer comprises an updated repository of one or more deciphered explanations associated with one or more vehicle diagnostic codes. (Column 21, line 15 - Column 22, line 61)

• In regard to claim 33, Schofield et al discloses a vehicle-based system comprising:

  o A diagnostics receiver module receiving a vehicle diagnostics code from a vehicle diagnostics system, the vehicle diagnostics code including a set of one or

more symbols and corresponding to a vehicle condition (Column 21, line 15-Column 22, line 61)

o One or more interfaces corresponding to one or more other vehicle systems and configured to receive vehicle systems data from a respective vehicle system (Column 21, line 15 - Column 22, line 61)

o Means for generating an explanation of the vehicle condition based on the vehicle diagnostics code, wherein the explanation combines data received from the vehicle diagnostics system and at least one other vehicle system, wherein the explanation contains a textual explanation of the vehicle condition and a graphical illustration of a component associated with the vehicle condition (Column 21, line 15 - Column 22, line 61)

o Means for presenting the explanation of the vehicle condition, wherein the presentation means comprises a local client. (Column 21, line 15 - Column 22, line 61)

- However, Schofield is silent as to the specifics of generating a browsable network document which includes the data from the plurality of systems of the vehicle which has been collected and the explanation of the vehicle condition and transmitting the browsable network document from the vehicle to a remote client where vehicle system data and the explanation of the vehicle condition can be browsed.
- Ames teaches a vehicle that generates a browsable network document which includes the data from the plurality of systems of the vehicle which

has been collected and the explanation of the vehicle condition and transmitting the browsable network document from the vehicle to a remote client where vehicle system data and the explanation of the vehicle condition can be browsed (col 5, line 16-51). Ames teaches that such steps enable diagnostic data to be consolidated (col 5, line 21-23). It would have been obvious to one of ordinary skill in the art to provide Schofield with Ames' teaches in order to consolidate diagnostic data, as taught by Ames.

- However, Schofield and Ames are silent as to the specifics of a markup language and wherein the browsable network document includes an entry field to allow the remote client to enter a request for data from the vehicle.
- Betters teaches the commonly well-known technique of generating a browsable network document in a markup language [0045] that includes and entry field to allow the remote client to enter a request for data from the vehicle [0032].

  It would have been obvious to one of ordinary skill in the art to provide Schofield and Ames with Betters' teaching since it is a commonly well-known technique in the art for displaying information, which is described by Ames in column 5, lines 29-35, implicitly teaching an entry field: "to obtain information of interest".

• In regard to claim 34, wherein the means for generating comprises a computer-

readable memory storing a diagnostics information registry having a field storing a reference to the explanation (Column 21, line 15 - Column 22, line 61)

• In regard to claim 35, wherein the means for generating comprises a memory storing explanation of one or more predetermined vehicle diagnostics codes (Column 21, line 15 - Column 22, line 61)

• In regard to claim 36, wherein the memory stores one or more of a graphical explanation, a textual explanation and an audio explanation (Column 21, line 15 - Column 22, line 61)

• In regard to claim 37, further comprising a network communications module communicating explanation over a network (Column 21, line 15 - Column 22, line 61)

• In regard to claim 38, further comprising a media output device presenting the explanation (Column 21, line 15 - Column 22, line 61)

• In regard to claim 39, wherein the media output device comprises audio speakers outputting an audio explanation. (Column 21, line 15- Column 22, line 61)

• In regard to claim 40, further comprising an update module updating information in the diagnostics information registry. (Column 21, line 15 - Column 22, line 61)

• In regard to claim 44, wherein the retrieving operation comprises accessing a memory location storing an updateable explanation (Column 21, line 15- Column 22, line 61)

• In regard to claim 45, further comprising updating the explanation (Column 21, line 15- Column 22, line 61)

• In regard to claim 46, further comprising presenting the explanation automatically in responses to receiving the vehicle diagnostics code (Column 21, line 15 - Column 22, line 61)

• In regard to claim 47, further comprising presenting the explanation in response to a request from a user (Column 21, line 15 - Column 22, line 61)

3. Claims 11 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield, in view of Ames, further in view of Breed (2008/0195261).

As to claims 11 and 31, Schofield discloses the claimed invention as shown above. However it is silent as to the specifics of the remote client being a repair facility.

Breed teaches that sending diagnostic data to a repair facility is commonly well-known [0598]. It would have been obvious and a matter of design choice to one of ordinary skill in the art to provide Schofield with Breed's teaching in order to transmit data to a repair facility.

4. Claims 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield et al.

• In regard to claim 41, Schofield et al discloses all of the limitations discussed in the diagnostics information registry (Column 21, line 15 - Column 22, line 61), however, fails to specifically discuss storing the severity level associated with the vehicle condition,

however this is common in a typical vehicle diagnostic system and would have been obvious to one having ordinary skill in the art at the time of the invention to include with the invention of Schofield et al to allow the user to see how sever the error is that is received.

• In regard to claim 42, Schofield et al fails to specifically disclose wherein the vehicle diagnostics code is an onboard diagnostics II code, however, this is common and well known in the art and further used on many vehicles today and would have been obvious to one having ordinary skill in the art at the time of the invention to use OBDII codes since it is what many vehicles today contain.

Response to Arguments

Applicant's arguments filed 11/9/2009 have been fully considered but they are not persuasive. As described above, Betters teaches the commonly well-known technique of generating a browsable network document in a markup language [0045] that includes and entry field to allow the remote client to enter a request for data from the vehicle [0032].

It would have been obvious to one of ordinary skill in the art to provide Schofield and Ames with Betters' teaching since it is a commonly well-known technique in the art for displaying information, which is described by Ames in column 5, lines 29-35, implicitly teaching an entry field: "to obtain information of interest".

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NICHOLAS KISWANTO whose telephone number is (571)270-3269. The examiner can normally be reached on Monday - Friday, 9AM - 6PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on (571) 272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nicholas Kiswanto/
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